

AO 91 (Rev. 8/01) Criminal Complaint

United States District Court

SOUTHERNDISTRICT OFTEXASMCALLEN DIVISION**UNITED STATES OF AMERICA****V.****Cesar Azamar-Caldela**

YOB:

2001

COB:

Mexico

United States Courts
Southern District of Texas

FILED

September 02, 2022

Nathan Ochsner, Clerk of Court

CRIMINAL COMPLAINT**Case Number:****M-22-1764 -M**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about September 1, 2022 in Hidalgo County, in the
Southern District of Texas

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jorge Daniel Perez-Gutierrez, a citizen and national of Mexico, and Mario Enrique Sorto-Rosa, citizen and national of the El Salvador, along with eight (8) other undocumented aliens, for a total of ten (10) who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit; a residence located in San Juan, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) **FELONY**I further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On August 4, 2022, Border Patrol Agents obtained information of a residence being used to harbor undocumented aliens in San Juan, Texas.

On August 29, 2022, Agents conducted surveillance and observed a white Chevrolet Blazer driven by a male subject, later identified as Cesar Azamar-Caldela, arrive at the residence and enter the garage. Moments later, Agents observed Azamar depart the residence in the Blazer. Agents followed Azamar to several locations and observed him fill three (3) 5-gallon jugs of water, purchase ice and a large amount of groceries. The items purchased are consistent with people who harbor undocumented immigrants in a stash house. Subsequently, Azamar was followed back to the residence where he dropped off the food and water.

On September 1, 2022, Agents continued surveillance and observed Azamar drive the Blazer to a store.

Continued on the attached sheet and made a part of this complaint:

 Yes No

Complaint authorized by AUSA M. Phelps

/S/ Jose E. Delgado

Signature of Complainant

Jose E. DelgadoBorder Patrol Agent

Printed Name of Complainant

September 2, 2022- 3:09 pmJuan F. Alanis

Name and Title of Judicial Officer

, U. S. Magistrate Judge

at

McAllen, Texas
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22- 1764 -M

RE: Cesar Azamar-Caldela

CONTINUATION:

Agents along with Hidalgo County Sheriff's Office Deputies (HCSO) approached Azamar in the store parking lot in a consensual encounter. Agents questioned him about his involvement in alien smuggling, to which he denied involvement. Agents asked Azamar if he had been to the residence and he responded he had been there to pick up a friend and run errands but could not recall his friend's name. Agents conducted an immigration inspection and it was determined that Azamar was a citizen of Mexico, illegally present in the United States.

Agents and HCSO conducted a knock and talk at the residence. Agents knocked on the door and someone inside stated they were going to open the garage door. Upon the garage door opening, ten (10) subjects freely exited the residence and Agents determined them to be illegally present in the United States.

Azamar and all ten (10) subjects were arrested and transported to the McAllen Border Patrol Station for processing.

PRINCIPAL STATEMENT:

Cesar Azamar-Caldela, a Mexican citizen, was advised of his Miranda Rights and agreed to make a statement.

Azamar stated he is illegally present in the United States. Azamar indicated he crossed illegally into the United States in October 2021 and was living with his girlfriend in McAllen, Texas. Azamar said he was not involved in the smuggling event, and he was just running errands for a friend. Azamar indicated he did not know there were illegal aliens at the residence. Azamar indicated he was caught smuggling aliens once when he was a juvenile.

MATERIAL WITNESS 1 STATEMENT:

Jorge Daniel Perez-Gutierrez, a Mexican citizen, was read her Miranda Rights and agreed to make a statement.

Perez claimed his family made his smuggling arrangements and had paid \$6,400 of a total of \$12,800 to be taken to North Carolina. Perez indicated he crossed the river along with twenty (20) other subjects and were guided by cellphone. After crossing, Perez stated they were picked up by two (2) vans. Perez stated he was taken to different locations until arriving at the house where they were apprehended. Perez said once he arrived at the house, he was instructed to leave his phone in a drawer. Perez said a couple of days later, Azamar dropped off food for them. Perez stated Azamar would enter the house and instructed them to unload the food from his car.

Perez was able to identify Cesar Azamar-Caldela, through a photo line-up, as the driver and caretaker of the house.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

MATERIAL WITNESS 2 STATEMENT:

Mario Enrique Sorto-Rosa, a citizen of El Salvador, was read his Miranda Rights and agreed to make a statement.

Sorto indicated his mother made his smuggling arrangements and was supposed to pay between \$15,000 and \$16,000. Sorto stated he crossed the river with approximately thirty (30) subjects and two (2) guides. Sorto stated he was picked up by a vehicle along with two (2) other subjects and were taken to different locations until they arrived at the house where they were apprehended. Sorto said they were instructed by the driver to enter the house. Sorto indicated the driver told them where they could sleep and eat. He stated the driver came on several occasions, which were the only times they were allowed to use their phones.

Sorto was able to identify Cesar Azamar-Caldela, through a photo line-up, as the driver and the subject who took them food and water.